

Licensing and Appeals Committee

Minutes of a meeting held on 17 February 2014

Present: Councillor Hitchen in the Chair

Councillors Austin, Chohan, Gillard, Grimshaw, Hughes, Longsdon, Loughman, Ludford, Ollerhead, Royle and Stone

LAP/14/01 Minutes

The minutes of the meeting on 16 December 2013 were submitted for consideration.

Decision

To approve as a correct record the minutes of the meeting held on 16 December 2013.

LAP/14/02 Hackney Carriage Fare Review – 2014/15

A report of the Head of Planning, Building Control and Licensing was submitted which requested the Committee to consider the content of the report which is to be presented to the Executive, and to consider the key issues and make recommendations for the Executive to consider.

Two representatives from the taxi trade addressed the Committee and expressed their views in relation to the Fare Review.

Following a lengthy discussion members agreed a number of recommendations which would be put to the Executive.

Decision

To make the following recommendations to the Executive in relation to the Fare Review:

1. To make the following changes to tariff operational times:
Abolish Tariff 4
Tariff 3 – to include Christmas Day, Boxing Day and New Years Day tariff increase to commence from midnight on these days as per bank holidays
2. To agree that the barrier charges for Piccadilly and the Airport to remain the same
3. To agree that the waiting time should be calculated on the average AGMA % wait time, excluding Manchester, for both day and night time tariff
4. To agree to remove fuel surcharge

5. To agree to remove the surcharge for luggage
6. To amend the wording on the fare card for credit and debit cards to read –
'Some taxis accept credit or debit cards typically with a maximum surcharge of 5%'
7. To agree that the overall tariff rate remain the same

LAP/14/03 Review of Hackney Carriage Advertisement and Livery Policy

A report of the Head of Planning, Building Control and Licensing was submitted which provided the Committee with details of the consultation responses received following the Committee's decision on 27 August 2013 to consult on a review of Manchester's Hackney Carriage Advertisement and Livery Policy.

The report also provided further information regarding the review of this Policy having regard to the original proposals and the consultation responses. The report also highlighted a technical omission in the online consultation which resulted in an incomplete consultation. A written response which was appended to the report provided some information regarding financial benefits to the taxi Trade associated with advertising income however this was not something the Council could verify or validate currently. Mr Harris, the Director of Ubiquitous, who had written this response, addressed the Committee.

Members noted that following receipt of the consultation responses legal advice had been sought regarding the responses received and how the Council may wish to proceed in reviewing the policy and the relevant legislative framework and overview of the legal advice received was included within the report.

Members also noted that the Law Commission review, which was expected in April 2014, may provide proposals in relation to hackney carriage and private hire standards, however the timescales for consideration and implementation of any Law Commission proposals was vague.

Members agreed that a further public consultation should go ahead, however, a sub group of the Committee should meet to consider appropriate questions to be included in the consultation document and any further action should be held in abeyance until the publication of the Law Commission Review.

Decision

1. To request officers to set up a sub group of the Committee, to include Councillors Austin, Hitchen, Gillard, Grimshaw, Longsdon, Loughman and Ollerhead to meet within the next week to consider appropriate questions to be included in the consultation document.
2. To take no further action on the consultation process until the Law Commission Review is published as this may influence the process.

LAP/14/04 Annual Report Street Collection Permits 2013/14

A report of the Head of Planning, Building Control and Licensing was submitted which outlined details of the returns received in respect of street collection permits allocated for 2013. The report also provided information in respect of street collection permits requested for 2014 and the decisions made in respect of those requests.

Members noted that the revised Street Collection permits allocation and monitoring policy provides for much closer liaison between the Licensing Premises Team and the charities benefitting from the street collections and it was hoped that working more closely with the charities would result in fewer failures by promoters to submit the statement of return. However, as the majority of the collections are organized directly by the charities themselves, rather than by third parties, charities often omit to submit a return or to advise the Licensing Unit of the amount collected in each collection tin/bucket as required under the regulations. This issue is being addressed through closer liaison with the charities and careful monitoring by the Premises Licensing Team.

However, Members were concerned about the number of charities which had not submitted returns and requested officers to liaise with the Internal Audit team with a view to further investigation.

Decision

To note the report.

(Councillor Austin declared a personal interest in this item)

LAP/14/05 Exclusion of the Public

A recommendation was made that the public be excluded during consideration of the following items of business.

Decision

To exclude the public during consideration of the following items which involved consideration of exempt information relating to the financial or business affairs of particular persons, and public interest in maintaining the exemption outweighed the public interest in disclosing the information.

LAP/14/06 Compliance Quarterly Report: 3rd quarter – 1 October – 31 December 2013 (Public Excluded)

A report of the Head of Planning, Building Control and Licensing and the Deputy Chief Executive, Growth and Neighbourhoods was submitted which informed the

Committee of the work undertaken by the Licensing Compliance Team between the 1 October and 31 December 2013.

The Chair thanked the presenting officer for the report and acknowledged the work undertaken to produce this document. The Chair asked that this thanks be extended to his team.

Decision

To note the report.

**LAP/14/07 Hackney Carriage/Private Hire Driver licences issued under delegated authority between October – December 2013
(Public Excluded)**

A report was submitted which informed the Committee of the decisions made under delegate authority in relation to Hackney Carriage and Private Hire Driver licenses.

Decision

To note the report.